

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FIRSTLINE NATIONAL INSURANCE
COMPANY,

Plaintiff,

v.

SECRET GARDEN LANDSCAPING,

Defendant.

HON. JEROME B. SIMANDLE

Civil No. 07-2591 (JBS/JS)

ORDER

This matter having come before the Court on a motion to intervene, reopen, and vacate default judgment against Defendant Secret Garden Landscaping filed by HSJ Properties, LLC ("HSJ") [Docket Item 15]; for the reasons explained in the Memorandum Opinion of today's date; and for good cause shown;

IT IS this 5th day of **August, 2009** hereby

ORDERED that default judgment against Defendant [Docket Item 14] shall be, and hereby is, VACATED; and it is further

ORDERED that this action shall be REOPENED and STAYED unless and until Plaintiff receives leave from the Bankruptcy Court to proceed against Defendant or until Defendant's bankruptcy proceedings are terminated; and it is further

ORDERED that HSJ's motions to reopen and to vacate default judgment are dismissed as moot; and it is further

ORDERED that HSJ's motion to intervene is dismissed without prejudice to refiling when Plaintiff receives leave from the Bankruptcy Court to proceed against Defendant or Defendant's

bankruptcy proceedings are terminated without discharge of the Defendant/Debtor's liability to HSJ; and it is further

ORDERED that Plaintiff shall immediately notify HSJ if and when Plaintiff receives leave from the Bankruptcy Court to proceed against Defendant or Defendant's bankruptcy proceedings are terminated.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge